



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

WEDNESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8519/2026

Between:

1. JAGAN TRANSPORTS, REP BY ITS PROP, K. UMA MAHESHWAR REDDY, S/O. K. RAMCHANDRA REDDY, AGED ABOUT 43 YEARS, OCC BUSINESS, R/O. AM ROAD, MOKOKCHUNG TOWN, MOKOKCHUNG, NAGALAND STATE 798601

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY. TRANSPORT ROADS AND BUILDINGS DEPARTMENT, A.P. SECRETARIAT BUILDINGS, THULLUR MANDAL, AMARAVATHI, GUNTUR DISTRICT 52227

2. THE DISTRICT TRANSPORT OFFICER, REGIONAL TRANSPORT AUTHORITY, TIRUPATHI, TIRUPATHI DISTRICT, ANDHRA PRADESH STATE.-517501

3. THE MOTOR VEHICLES INSPECTOR, TIRUPATHI, TIRUPATHI DISTRICT, ANDHRA PRADESH STATE- 517501

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in insisting to pay the tax-and penalty as a condition for release of the petitioner vehicle bearing No. NL02B 5557 seized on 14.03.2026 by the 3rd

respondent by issuing Challan No. AP 250219260314200156 demanding tax and penalty of Rs. 4,33,000/- and also compounding fee of Rs. 1,500/- without issuing any check report or enquiry and contrary to GOMs No. 285 dated 15.09.1984 as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent to release the vehicle of the petitioner forthwith by accepting the tax as per GOMs No. 285 dated 15.09.1984 and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to release the vehicle of the petitioner vehicle bearing No. NL02B 5557 seized on 14.03.2026 by the 3rd respondent by issuing Challan No. AP 250219260314200156 forthwith by accepting the tax as per GOMs No. 285 dated 15.09.1984 pending disposal of the above writ petition and pas

Counsel for the Petitioner:

1.B SIVARAMAKRISHNAIAH

Counsel for the Respondent(S):

1.GP FOR TRANSPORT

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 8519 of 2026****ORDER**

Heard learned counsel for the petitioner and the learned Government Pleader for Transport and perused the material available on record.

2) Having heard the respective counsels and upon perusal of the material available on record, it is an admitted fact that the petitioner is plying the vehicle without having valid tax payment and without permit, as such the respondent No.3 seized the vehicle on 14.03.2026.

3) However, considering the facts and circumstances of the case and in the light of the law laid down by the Division Bench of this Court in a decision reported in ***Saleem Tours and Travels vs. Joint Transport Commissioner and Secretary***¹, in our considered opinion, it is appropriate and reasonable to direct the respondent authorities to release the seized vehicle in favour of the petitioner on imposing certain condition, to protect the interest of the respondents, pending the enquiry.

4) Accordingly, the writ petition is disposed of, with the following directions:

(i) The Respondents shall release the vehicle bearing No.NL 02 B 5557 seized on 14.03.2026 to the petitioner on condition of paying 50% of the tax along with compound fees as on 31.03.2026 and on producing demand draft or receipt acknowledging the payment.

¹ 2000(4) ALD 501 = 2000 (4) ALT 468

(ii) The Petitioner shall submit an undertaking to the effect that the subject vehicle will be produced as and when required for enquiry and that the same would not be alienated pending enquiry.

5) There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

VENKATESWARLU NIMMAGADDA, J

01.04.2026

Note:C.C. by 02.04.2026

(B/o)

BSP

21

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO:8519 of 2026

01.04.2026

Note:C.C. by 02.04.2026

(B/o)

BSP